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THOMAS J. ZRAIK
ATTORNEY AT LAW

BY: _____

2524 SECOR ROAD
P.O. Box 2627
TOLEDO, OHIO 43608

PHONE (419) 724-9811
FAX (419) 724-9812
E-MAIL: zraiklaw@bex.net

October 6, 2008

Superintendent James Gunner
Perkins Local School District
3700 South Avenue
Sandusky, Ohio 44870



Re: Carol Smith Disciplinary Issues and Request for Reasonable Accommodation

Dear Mr. Gunner:

Please be informed that Mrs. Carol Smith has retained me to represent her, *inter alia*, in the forthcoming disciplinary meeting with you recommended by school officials at a disciplinary conference with Principal Stephen Finn on October 2, 2008. According to Mrs. Smith, and the allegations included in the Notice from Principal Finn of the October 2, 2008 hearing, she is being accused of sleeping on the job and putting children at risk. See Notice, attached hereto, specifying four dates when Mrs. Smith was allegedly observed sleeping.

As you know, Mrs. Smith is diagnosed with Diabetes and, as such, her blood sugar levels are extremely difficult to control. In fact, she has asked her treating physician to write a letter on her behalf informing school officials of her diagnosis and the potential effects of her Diabetes, and this letter should already be in Mrs. Smith's personnel file. While Mrs. Smith strenuously denies ever putting any of her students at risk, she acknowledges that on one occasion, September 22, 2008, she did fall asleep due to a drop in her blood sugar level. On that occasion, however, Mrs. Smith was alone and, as there were no children in the choir room at the time, no children were put at risk.

In light of these facts and on behalf of Mrs. Smith, I am officially requesting that you work together with Mrs. Smith to develop a reasonable accommodation to address this situation. As you know, reasonable accommodations must be provided whenever a qualified individual with a disability needs and requests one in order to prevent discrimination.

In light of Mr. Finn's September 29, 2008 Notice indicating that disciplinary action up to and including termination may be taken, Mrs. Smith is specifically requesting that she be provided with a reasonable accommodation to address the effects of her Diabetes while on the job. Moreover, rather than inappropriately imposing disciplinary measures, I am also requesting that you take measures to ensure a plan is developed among school officials, Mrs. Smith, and Mrs. Smith's physician that will satisfy the District's legitimate

interests as well as addressing Mrs. Smith's needs. Finally, I ask that you provide me with adequate notice in the event you decide to schedule a meeting for Mrs. Smith with you or your designee, as recommended by Mr. Finn, so that I may represent her at that meeting.

If you have any questions, please do not hesitate to contact my office. Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Thomas J. Zraik', is written over the printed name.

Thomas J. Zraik

cc: Mrs. Carol Smith

Enclosure: September 29, 2008 letter by Principal Finn